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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

SNOW COVERED CAPITAL, LLC,  
  
Plaintiff,  
  
vs.

Case No. 2:19-00595-JAD-NJK

WILLIAM WEIDNER, ANDREW FONFA,  
DAVID JACOBY, and LUCKY DRAGON  
LP,  
  
Defendants.

**STIPULATION TO EXTEND BRIEFING  
SCHEDULE ON PLAINTIFF SCC'S  
MOTIONS TO STRIKE THE ANSWERS  
OF DEFENDANTS FONFA, WEIDNER  
AND JACOBY**

SHELLY D. KROHN, Chapter 7 Trustee of  
The LUCKY DRAGON, LP Estate,  
  
Counter-claimant,

vs.

SNOW COVERED CAPITAL, LLC,  
NELLIE LLC, 1421 CAPITAL LLC, and  
ASSOCIATE CAPITAL, LLC,  
  
Counter-defendants.

1  
2 Pursuant to LR 7-1, LR IA 601, and LR IA 602, Plaintiff Snow Covered Capital, LLC  
3 (“SCC”) and Defendants Fonfa, Weidner, and Jacoby, and Defendant Lucky Dragon L.P.  
4 (“LDLP”) stipulate and agree that Plaintiff SCC shall have up to and including **August 13, 2019**  
5 to file its reply briefs regarding its Motions to Strike the Answers of Defendants Fonfa (ECF No.  
6 51) and Weidner/ Jacoby (ECF No. 53). This is a short (two business day) extension from the  
7 current date for such replies.

8 1. On April 8, 2019, Plaintiff Snow Covered Capital, LLC filed its complaint in this  
9 proceeding (ECF No. 1).

10 2. On June 18, 2019, Defendants Weidner and Jacoby filed their Answer (ECF No.  
11 21) in response to the SCC Complaint.

12 3. On June 19, 2019 Defendant Fonfa filed his Answer (ECF No. 22) in response to  
13 the SCC Complaint.

14 4. On July 9, 2019, SCC filed its motions to strike the Fonfa and Weidner/Jacoby  
15 Answers. On that same day, SCC filed a motion to dismiss the counterclaims asserted by  
16 Defendant LDLP (ECF No. 50).

17 5. On July 19, 2019 the parties entered into a stipulation (ECF No. 56) extending the  
18 Defendants’ time for responding to the SCC motions to strike to July 30, 2019 and setting an  
19 August 9, 2019 reply date for the three motions to strike and an August 12, 2019 reply date for  
20 SCC’s motion to dismiss the LDLP Counterclaim. This stipulation was endorsed by this Court on  
21 July 23, 2019 (ECF No 57).

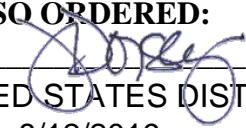
22 6. The Defendants all filed responses to the motion to strike on July 30, 2019 (ECF  
23 Nos. 62, 63, 64), but Defendant LDLP also filed an Amended Answer and Counterclaim (ECF  
24 No. 61) that this Court recently held (ECF No. 73, filed August 7, 2019) superseded the  
25 complaint to which SCC’s July 9, 2019 motion to dismiss (ECF No. 50) had been directed and so  
26  
27  
28

mooted the existing SCC motion to dismiss. The same problem existed for the SCC motion to strike LDLP's original answer, though that aspect of the mootness problem was not referenced in the Court's August 7, 2019 minute order.

7. As a result of the filing of LDLP's Amended Answer and Counterclaim, a new SCC motion to dismiss and a new SCC motion to strike (not just SCC reply briefs) will now be required, at its earliest, on August 13, 2019.

8. This stipulation will allow all of the latest round of SCC motions to strike filings (replies regarding the Fonfa and Jacoby/Weidner-related motions and the new motion to strike LDLP's First Amended Answer and Counterclaim) to be made on the same dates, as was originally intended. The task of dealing with a new motion to strike, and coordinating it with the other filings, together with computer system and vacation-induced short-staffing issues during the past two weeks, and as the demands of other substantial filings required between July 30, 2019 and the present, have made this two business day extension logical and necessary.

**IT IS SO ORDERED:**

  
UNITED STATES DISTRICT JUDGE  
Dated: 8/12/2019

**STIPULATED AND AGREED BY ALL PARTIES:**

Dated: August 9, 2019.

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### **CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of Diamond McCarthy, and on the 9<sup>th</sup> day of August, 2019, I caused to be served a copy of foregoing Stipulation in the following manner: (ELECTRONIC SERVICE). Pursuant to Fed. R. Civ. P. 5(b)(3) and LR 5-4, the above referenced document was electronically filed and served upon all of the above-listed counsel of record through the Court's Case Management and Electronic Case Filing (CM/ECF) system:

/s/ James D. McCarthy  
James D. McCarthy